

COUNCIL AGENDA ITEM # ____ FOR
TUESDAY, March 23rd , 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

March 18, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 7657 Alameda Avenue Apts. 1, 2 & 4 (Rep. District #3)

Scheduling a public hearing to be held on April 27th , 2004 to determine if the property located at 7657 Alameda Avenue Apts. 1, 2 & 4 in the City of El Paso (Legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of December 17th , 2003, Gonzalo and Tomasa De La Rosa, 9697 Omelveny Avenue, Pacoima, CA 91331-4158 and Gonzalo and Tomasa De La Rosa, 9345 Gallo Avenue, Arleta, CA 91331, has been notified of the violations at this property. District #3

RECEIVED
MARCH 15 4

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 27th day of April, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7657 Alameda Avenue Apts. #1, #2 & #4, in El Paso, Texas, which property is more particularly described as:

Tract #4, Orndorff-Reynaud Subdivision #2

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Gonzalo and Tomasa De La Rosa, Owners, 9697 Omelveny Avenue, Pacoima, CA 91331-4158 and Herbert De La Rosa, 1152 Morgan Marie Street, El Paso, Texas 79936, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

BUILDING PERMITS AND INSPECTIONS
CODE COMPLIANCE
October 29, 2003

Gonzalo & Tomasa De La Rosa
9697 Omelveny Ave.
Pacoima, CA 91331-4158

Re: 7657 Alameda Ave. Apt. 1, 2, 4
Tract: 4
Blk: Orndorff-Reynaud
Zoned: C-1
COD03-16570
Certified Mail Receipt #
7003 1010 0004 5304 0240

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

7657 Alameda Avenue Apt. 1, 2, 4

- c. Boarded up, fenced, or otherwise secured in any manner in if:
 - i. The building constitutes a danger to the public even though secured entry, or
 - ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 7657 Alameda Avenue Apt. 1, 2, 4 has the following violations:

- a. The floors have not been maintained in a safe manner.
- b. The walls have not been maintained in a safe manner free of holes and cracks.
- c. The roof structure has not been maintained free of defects that may cause leaks.
- d. The means of egress is/are inadequate and do not meet minimum code requirements.
- e. The plumbing system is inadequate and does not meet minimum code requirements.
- f. The electrical system is inadequate and does not meet minimum code requirements.
- g. The HVAC system is inadequate and does not meet minimum code requirements.
- h. The structure is open and accessible to unauthorized entry.
- i. The premises are full of weeds, trash, and debris.
- j. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter.
- k. In the event you fail to correct these violations within 30 days, the case will be submitted to the City Attorney's Office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated, secured, repaired or demolished as per Sec. 18.52.040.

7657 Alameda Avenue Apt. 1, 2, 4

If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

A handwritten signature in black ink that reads "Wayne Fannin". The signature is written in a cursive, flowing style.

Wayne Fannin
Building Inspector

WF/rl

7003 1010 0004 5304 0240

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com
OFFICIAL USE

Postage	\$	Postmark Here <i>WF</i>
Certified Fee		
Return Receipt Fee (Endorsement Required)	OCT 30 2003	
Restricted Delivery Fee (Endorsement Required)		

Gonzalo & Tomasa De La Rosa
 9697 Omelveny Ave.
 Pacoima, CA 91331-4158
 Re: 7657 Alameda Ave., Apt. 1, 2, 4

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *WF*
 Gonzalo & Tomasa De La Rosa
 9697 Omelveny Ave.
 Pacoima, CA 91331-4158
 Re: 7657 Alameda Ave., Apt. 1, 2, 4

COMPLETE THIS SECTION ON DELIVERY

A. Signature *X* ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
 (Transfer from service label)

7003 1010 0004 5304 0240

PS Form 3811, August 2001

Domestic Return Receipt

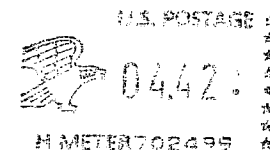
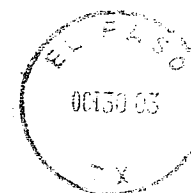
102595-01-M-2509



The City of El Paso
 Two Civic Center Plaza
 El Paso, Texas 79901-1196
Building Permits and Inspections
Code Enforcement

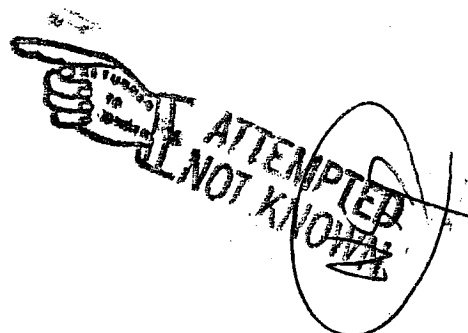


7003 1010 0004 5304 0240



RETURN RECEIPT REQUESTED

Gonzalo & Tomasa De La Rosa
 9697 Omelveny Ave.
 Pacoima, CA 91331-4158



WBF

Address: Case #:

Name: UNKNOWN UNKNOWN Updated: 10/21/2003 RVJ

Address: 7657 ALAMEDA AVE. APT. 2

Description: Master #: COD03-16570 Project:

open and abandon

Description	Menu Code	Date1	Date2	Date3	Disc	Done By	Notes
Complaint Received	A0010			10/21/2003		RVJ	
Enforcement Inv Report	A5			10/21/2003			
Refer to Fire	E0040	10/19/2003	11/3/2003	11/3/2003	DONE	936	Spaces #3,5&6 are o

View / Edit Activity

Activity: E0040 Desc: Refer to Fire Updated: 2/13/2004 WBF

Disposition: Hold Level: No hold

Dates:

Date Referred	<input type="text" value="10/29/2003"/>	Calendar Tag	<input type="text" value="FDCM"/>
Date Received	<input type="text" value="11/3/2003"/>	Report Tag	<input type="text"/>
Date Completed	<input type="text" value="11/6/2003"/>	Assigned To	<input type="text" value="936"/>
		Done By	<input type="text" value="936"/>

Notes:

Spaces #3,5&6 are occupied and #1,2&4 are not. Does not pose a significant fire hazard. Renovations are being made on units #1,2&4. Building must be secured until renovation is complete.

X-Coordinate: Y-Coordinate:


EL PASO CITY-COUNTY HEALTH & ENVIRONMENTAL DISTRICT

ENVIRONMENTAL HEALTH

M E M O R A N D U M

DATE: November 3, 2003

MEMO TO: Tom McGuire, Housing Compliance Supervisor

FROM: Jorge Ramirez, Sr. Environmental Health Inspector 

SUBJECT: Condemnation Report

RE: 7657 Alameda Ave. 79915

An inspection of the property was conducted on November 3, 2003 and the conditions checked were found in violation of Title 9 - Health and Safety, El Paso Municipal Code.

SECTION 9.04 - SOLID WASTE STORAGE AREA:
N/A

SECTION 9.04.340 - ACCUMULATIONS:
Of dry weeds, trash and broken glass was seen throughout the property.

SECTION 9.16 - NUISANCE:
N/A

SECTION 9.16.010 - DESIGNATED:
N/A

SECTION 9.28 - RAT CONTROL:
The structures are small vacant apartments. The structures are decaying. This condition serves as a potential vermin harborage.

If you require additional assistance on this matter, please call me at (915) 860-2378 or Fax (915) 860-1081.

20040213 TC8006 CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS 143534

ACCOUNT 038499900107100 AMT DUE AS OF: 20040213 ROLL R ALT OWN
UNITS:01 05 06 07 08 OMIT(-)/SEL(+)
DE LA ROSA, GONZALO & TOMASA ORNDORFF-REYNAUD
TR 4
9697 OMELVENY AVE (0.520 ACRE)

PACOIMA		CA 91331-4158				7657 ALAMEDA AVE #6	
ACRES	.5553	PARCEL ADDRESS				TOTAL DUE	
YEAR	GROSS VAL	HOVDFAER	RCVL LEVY	REM LEVY	FEES	PAYMENTS	TOTAL DUE
2003	137482		4158.31	4158.31	291.08	.00	4449.39
2002	137482		4109.42	2234.04	977.40	2300.00	3211.44
2001	137482		4047.22	08/31/2002	1491.40	5538.62	.00
2000	133036		3837.02	08/31/2002	667.61	4504.63	.00
1999	133036		3816.77	01/06/2000		3816.77	.00
1998	133036		3921.23	01/11/1999		3921.23	.00
1997	112450		3177.97	01/21/1998		3177.97	.00

TOTAL

8267.73 6392.35 1693.10

LAST PAYOR OWNER

PAGE TOTAL 7660.83

NOTE EXISTS

CUMULATIVE TOTAL 7660.83

ENTER NEXT ACCOUNT



UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: 10-28-03

REP. DISTRICT: 7

ADDRESS: 7657 Alameda Avenue Apt. #1, 2 & 4

ZONED: C-1

LEGAL DESCRIPTION: Tract 4, Orndorff-Reynaud

OWNER: Gonzalo & Tomasa De La Rosa
CA 91331-4158

BUILDING USE: Six single-family units

TYPE OF CONSTRUCTION: III

FOOTINGS: Concrete

CONDITION: Fair – no signs of structural failure. Will need to hire a structural engineer to evaluate the actual condition of the footing.

FOUNDATION WALL: N/A

CONDITION: N/A

FLOOR STRUCTURE: Concrete slab on grade

CONDITION: Fair – no signs of structural failure, however, most of the floor is covered with vinyl floor covering. A structural engineer must be hired to determine the actual condition of the floor structure.

EXTERIOR WALLS: Concrete masonry units

HEIGHT: 8'

THICKNESS: 9"

CONDITION: Fair – no signs of structural failure. Will need to hire a structural engineer to evaluate the actual condition of the exterior walls.

INTERIOR WALLS & CEILINGS: 2" x 4" wood studs with sheetrock

CONDITION: Poor – many holes in the walls with visible signs of mold at the base of the walls.

ROOF STRUCTURE: Unable to determine
CONDITION: Signs of leaks in the ceilings. Must hire a registered roof contractor to evaluate the roofing system and submit documentation on recommended corrections.

DOORS, WINDOWS, ETC.: Wood doors and metal encasement windows.
CONDITION: Poor – missing glass panes, window hardware missing or inoperable. Doors broken or does not meet minimum code requirements.

MEANS OF EGRESS: Does not meet code requirements.
CONDITION: Poor

PLUMBING: Must hire a licensed plumbing contractor to evaluate the plumbing system.


ELECTRICAL: Must hire a licensed electrical contractor to evaluate the electrical system.

MECHANICAL: Must hire a licensed HVAC contractor to evaluate the HVAC system.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: None

WARNING POSTED: Yes **BARRICADED:** No **POLICE AID REQD.:** No

REMARKS: These single-family units were found open and abandoned. There are signs of vandalism taken place in them. This Department recommend that they be secured and maintained secured until rehabilitation is complete.


Wayne Fannin
Building Inspector

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 27th day of April, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7657 Alameda Avenue Apts. #1, #2 & #4, in El Paso, Texas, which property is more particularly described as:

Tract #4, Orndorff-Reynaud Subdivision #2

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Gonzalo and Tomasa De La Rosa, Owners, 9697 Omelveny Avenue, Pacoima, CA 91331-4158 and Herbert De La Rosa, 1152 Morgan Marie Street, El Paso, Texas 79936, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

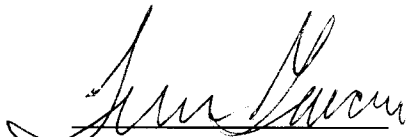
Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

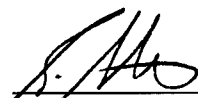
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Adopted this 23rd day of March, 2004.

APPROVED AS TO FORM:


Teresa Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:


R. Alan Shubert, P. E.
Building Permits and Inspections Director